

**From:** rouse@phoenix.icemcfd.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/24/02 8:16pm  
**Subject:** Microsoft Settlement

Dear DOJ:

I want to add my voice to the chorus against the proposed settlement. I do not see that the current settlement will in fact restrain future anti competitive conduct by Microsoft.

I have been using computers since my high school days in the early 1970s. I have worked on a number of operating systems, and with a variety of hardware. As a physicist and now a computer professional, I have had an opportunity to look at a number of different systems and work on a number of different platforms. I can say, without a doubt, that the Windows platform has been about the most unreliable I have had to work on during these years.

The essence of competition is that the Market should have adjusted to this fact and provided competitors to both the Windows operating system and Windows applications. Let me say that there are a number of fine Windows applications that would find a market no matter which platform they were built for. I think that Microsoft Powerpoint, and Microsoft Excel are definitely world class products and could, in an open market succeed rather handsomely. But beyond those two products, I have grave doubts that a level playing field would make Microsoft a dominate player in both the operating system and the application side.

This leads us to the question, why hasn't the market succeeded? The answer was eloquently put by Judge Jackson when he said there is a 'barrier to entry' into the field. An operating system should simply allow you to run the applications you choose to run. Applications then should carry out the tasks that you choose. Microsoft has turned this logic on its head by integrating both its applications and its operating system so that you cannot choose one without the other thereby erecting the 'barrier to entry' for other applications and operating systems.

This was aptly demonstrated by the governments case in the anti-trust filing in the case of Netscape. Microsoft forced OEM manufactures to put Internet Explorer onto the machine when there is no technical reason why Windows Explorer should be chosen over Netscape Explorer or visa versa. Microsoft further was shown to have lied when it claimed that the Internet explorer was the only choice for its operating system. The true essence of competition should be to let the consumers decide which application to run on which operating system not by fiat and requirement from Redmond Washington, but by the requirements of the tasks and costs faced by the consumer.

Microsoft certainly has shown no real intent to open a space between its

operating system and its applications. Until and unless the company shows a commitment to carrying out this vital task, it will continue to squash competition not by the fair rules of the market, but by its monopoly position in operating systems.

Thank you very much for your consideration.

Forest Rouse.